Remarks

I. Status of Claims

Without prejudice, the claims have been amended to more clearly identify the subject matter Applicant regards as his invention. Specifically, Claims 1, 14 and 22 have been amended to indicate that the TIO comprises a plurality of hash values with each hash value corresponding to a trusted entities certificate (e.g., a CA root certificate or an SSL server certificate). Support for this amendment can be found in Table A and paragraphs 0064 through 0070. New claims 50-55 have also been added. Support for these claims can be found in paragraphs 0084, 0086, 0092, and 0094. No new matter has been added.

II. Rejections of Formality

The Examiner rejected Claims 1-6, 14-22, 24-30, 38-46 and 48-49 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner cited the following indefinite terms: claim 1, "said trust entity certificate," claim 2, "said time stamp," and claims 3 and 27, "said hash values." In reply, Applicants respectfully submit that the claims as amended obviate this rejection.

III. Prior Art Rejections

The Examiner rejected Claims 1, 22, 24-25, 46 and 48 under 35 U.S.C. §102(e) as being anticipated or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Hericourt, et al. (U.S. Publication No. 2002/0078347). The Examiner admits that Hericourt does not explicitly disclose a TIO having hash values as claimed, but states that "Hericourt discusses in paragraphs 11-17 that a X.509 certificate's formal structure includes a signature of the certificate, a hash value of the certificate," and notes "that Hericourt does not place any restrictions on the type of certificates used in his invention." The examiner finds that "in discussing X.509

certificates in his background section, it would not have been beyond the scope of

Hericourt's invention where the certificate used included an X.509 certificates. When

these certificates are returned and the response from a CA filter, a hash value of the

CA's certificate is also returned."

Furthermore, in the final rejection of May 9, 2007, the Examiner states as

follows:

> Applicant argues that because Hericourt could discloses only one
> certificate being provided to a user device, Hericourt "does not
> disclose the limitations as amended." The Examiner respectfully
> submits that as currently amended, it does not appear that the claim
> requires the client receive a plurality of trust entity certificates.
> Instead, the claim still refers to a certificate being received by a client,
> i.e., that is a single certificate is sent from the trust information
> provider to a client (note preamble).... There is no specific
> requirement by the claim that a plurality of trust entity certificates be
> created at all, much less received by the client.... Also, as recited, it
> does not appear that the TIO is necessarily tied to the trust entity
> certificates in any manner.

The Examiner also indicates that Hericourt does disclose a plurality of certificates.

Specifically, the Examiner states as follows:

> [N]ote that Hericourt deals with certificates (plural, not singular) being
> created by one or more CA's and then filtered (paragraphs 38 and 50).
> Thus, Hericourt does disclose a plurality of trust entity certificates, the
> trust entity being the CA's. The information contained in the
> certificates can be considered at least part of the TIO.

Therefore, the examiner indicated that the claims do not reflect the arguments made

and, even if they did, they would not be patentably distinct over Hericourt.

In response, Applicant respectfully submits that the claims as amended are

patentably distinct over Hericourt.

A. Hericourt Fails To Disclose Transmitting A TIO From A Server To A Client To Facilitate Validation.

It is well settled in U.S. patent law that to anticipate an invention, a single

reference must disclose each element of the claimed invention, and to render a

claimed invention obvious, each element of the claimed invention must be taught or

suggested by the prior art cited by the Examiner. Here, Hericourt fails to teach or

suggest downloading a TIO from a server to a client for verification purposes. Specifically, the claims expressly state that a TIO is downloaded from a server to the client device and that the TIO comprises a plurality of hash values, each hash value being hashed from a trusted entity certificate, and a plurality of trust vectors, each trust vector corresponding to a hash value and being indicative of the level of trust associated with a particular trusted entity certificate.

Nowhere does Hericourt disclose the transmission of such a database from the server to the client device. *To the contrary*, the CAF tables (310) containing the certificate data disclosed in Hericourt are resident in the client device . As set forth in the application:

> A CA Filter (309) is mainly a central repository comprising a list of trusted CAs with their associated Certificates. The repository is stored within a CA Filter Table (CAF Table) (310). The list of trusted CAs is periodically maintained, typically by a Security Administrator, according to some security guidelines specific to the company

Paragraph 135. Thus, not only are the CA filter 309 and table 310 resident on the client device, but also they must be maintained by a security administrator. This is precisely the problem the claimed invention is intended to solve. Therefore, since a TIO is not downloaded from a server to the client device in Hericourt, Hericourt fails to anticipate the claimed invention.

B. **Hericourt Not Only Fails to Anticipate the Claimed Invention, But Also There is No Reason to Modify Its CAF Table to be a Downloadable TIO in Accordance With the Claimed Invention.**

It is well established in US patent law that there is no motivation to modify a reference if that modification would undermine the principle of operation of the reference. Here, the client device in Hericourt is configured to have resident CAF Tables containing certificate data. If the devices are already configured to accommodate these tables, there would be little reason to eliminate these tables and instead download a TIO, which uses hash values, rather than the actual trusted entity certificates. In other words, in the claimed TIO, the certificates are converted to hash values to reduce the size of the database and render it more suitable for downloading

from the server to the client devices. However, since the client devices in Hericourt are already configured to maintain a CAF database, there is no need to provide a downloadable database. Furthermore, eliminating the CAF Tables would destroy the principle of operation of Hericourt, which relies on the use of CAF and CFC tables (See paragraphs 142 *et seq.*) Since there is no motivation to modify Hericourt in accordance with the claimed invention, the rejection should be withdrawn and the claims allowed.

In light of the above remarks, an early and favorable response is earnestly requested.

Respectfully submitted,

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